

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: BIRKELUND, et al.

Serial No.: 09/446,677

Filed: March 24, 2000

For: NOVEL SURFACE EXPOSED PROTEINS FROM...

Art Unit: 1645

Examiner: SHAHNAN-SHAH, K.

Washington, D.C.

Atty.'s Docket: BIRKELUND=1

Date: February 27, 2002

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THE COMMISSIONER OF PATENTS AND TRADEMARKS

Washington, D.C. 20231

Sir:

TECH CENTER 1600/2900

Transmitted herewith is an ☐ Amendment ☒ Election with Traverse and Second Preliminary Amendment

in the above-identified application.

☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.☐ No additional fee is required.

The fee has been calculated as shown below:

(Col. 1)			(Col. 2)		(Col. 3)		Small Entity		Other Than a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra		Rate	Additional Fee		Rate	Additional Fee
Total	16	Minus	20	0		x 9	\$		x18	\$
Indep.	10	Minus	13	0		x42	\$		x84	\$
First Presentation of Multiple Dependent Claim						140	\$		+280	\$
TOTAL ADDITIONAL CLAIMS FEE							\$		Total	\$

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col.1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required applicant requests that this be considered a petition therefor.

☒ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

☐ First - \$ 55.00☐ Second - \$200.00☐ Third - \$460.00☐ Fourth - \$720.00☐ Fifth - \$980.00

Other Than Small Entity

Response Filed Within

☐ First - \$ 110.00☐ Second - \$ 400.00☐ Third - \$ 920.00☒ Fourth - \$1440.00☐ Fifth - \$1960.00☐ Less fees (\$ ) already paid for months extension of time on .☐ Please charge my Deposit Account No. 02-4035 in the amount of \$ . A duplicate copy of this sheet is attached.☐ A check in the amount of \$ is attached (check no. ).☒ Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$1,440.00 Is attached.

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR Section 1.16 and all patent processing fees under 37 CFR Section 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR Section 1.18.

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Facsimile: (202) 737-3528

Telephone: (202) 628-5197

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By:

IVER P. COOPER  
Registration No. 28,005